

Final Notes 10-15-97

IMPLEMENTATION TEAM MEETING NOTES

September 25, 1997, 9:00 a.m.-4 p.m.
NATIONAL MARINE FISHERIES SERVICE OFFICES
PORTLAND, OREGON

I. Greeting and Introductions.

The September meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Brian Brown of NMFS. The agenda for the September 25 meeting and a list of attendees are attached as Enclosures A and B. The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items. Please note that some enclosures referenced in the body of the text may be too lengthy to attach; all enclosures referenced are available upon request from NMFS's Kathy Ceballos at 503/230-5420 or via email at kathy.ceballos@noaa.gov.

II. Updates.

A) In-Season Management. Michele DeHart of the Fish Passage Center reported that monitoring at most sites has now been concluded for 1997; the only ones still monitoring are the Snake River transportation sites and the lower river sites – McNary, John Day and Bonneville. Gas monitoring is over for 1997. The Fish Passage Advisory Committee (FPAC) has asked the Fish Passage Center to write a summary memo covering the 1997 migration year; we are in the process of producing that memo, and when finished, it will be presented to the Technical Management Team, DeHart said.

Will that memo contain a more specific post-season estimate of the 1997 in-river vs. transport percentages? asked Brown. Yes, DeHart replied.

At the last IT meeting, the Bureau of Reclamation was asked to respond in writing to a Salmon Managers' SOR concerning the delivery of the Upper Snake water in 1997, said Brown; that memo is now available. Brown distributed copies of USBR's response to SOR 97-19; it is attached as Enclosure C.

USBR's Ron McKown, the memo's author, said the document contains a detailed response to the four parts of SOR 97-19, including the Salmon Managers' request that Brownlee Reservoir be drafted to elevation 2045 feet by August 31. That would have amounted to an additional 160 KAF over and above the 427 KAF the Bureau agreed to provide in 1997, McKown said. The request was refused on the basis that that amount is beyond what the BiOp requires.

McKown went through the Bureau's response at some length (please see enclosure C for details). He added that the letter had been personally reviewed by Idaho Governor Batt as well as the USBR Regional Director.

ODFW's Ron Boyce replied that, while it is the Bureau's position that the 160 KAF of additional water requested by the Salmon Managers this summer is beyond the scope of the Biological Opinion, the BiOp does specify that the Technical Management Team can ask for additional water if the summer flow objectives are not being met. In my view, this is a policy issue that needs to be discussed by the IT, Boyce said. It was also NMFS's view that the additional flood control release from the Bureau's Idaho projects, beginning in August, was water that was needed to meet the summer flow targets, he said.

Actually, I agree about the flood control release, said McKown – we felt that water should have been passed down through the lower river, but unfortunately, we have no control over what Idaho Power does. My understanding was that IPC was willing to release that water, if someone was willing to compensate them for the spill at Oxbow. No one was willing to pay for that spill, so the extra water stayed in Brownlee, McKown said.

It is somewhat galling that, as of September 15, Idaho Power had begun to spill 10 Kcfs at Oxbow, exactly what the Salmon Managers had requested several weeks earlier, said Boyce. Another point raised in the Bureau's letter which I think may be worthy of IT discussion is the question of whether or not Snake River operations above Brownlee are outside the scope of the TMT, he continued. I do not agree with that assessment, because the shaping of the 427 KAF of salmon augmentation water to meet the BiOp flow objectives is the TMT's business.

You get the full 427 KAF, and you get the shaping at Brownlee, said McKown – why do you think you need to determine where it comes from? It's true that the 427 KAF is a specific provision of the BiOp, said Brown. Once you have provided that volume, you could take the position that you have satisfied the specific provisions of the BiOp. However, the BiOp also identifies a flow objective we're trying to meet, and an in-season management process to accomplish that. While your answer to a request for further water may be the same – no – it seems to me that using the fact that such an additional volume is not specified in the BiOp as the basis for that denial doesn't really get at the question of, what was the competing interest that caused the answer to be no? said Brown. And I did discuss that in the response letter, said McKown. That fact of the matter is, the 427 KAF is provided, and it's delivered through Brownlee in any way you want it.

Not so, said Boyce – SOR 97-19 specifically requested that all 427 KAF be passed through Brownlee Reservoir, and that Brownlee not be used to shape that volume. That is not a salmon issue, replied McKown – as long as you get the 427 KAF out of Brownlee, that's what our requirement is. The Salmon Managers asked that the 427 KAF be delivered as pass-through during the July-August time-frame, said Boyce -- that request was denied. We also requested a further volume from Brownlee Reservoir, over and above the 427 KAF, because the flow objectives were not being met. I agree that was what the Salmon Managers requested, said McKown, but as I stated in (Enclosure C), state law limits us to 427 KAF, to be used for power purposes. That's the killer for us, and I don't know what else the Bureau can do for you.

The discussion continued in this vein for some minutes. Eventually, Boyce summarized what, for the Salmon Managers, is the crux of this issue: because of all of the constraints on the delivery of this water from the Upper Snake, such as the Milner flow cap and Idaho water law, Brownlee Reservoir is essentially being pre-drafted to shape the 427 KAF of Upper Snake water, then backfilled once the water actually arrives. The problem, from the Salmon Managers'

perspective, is that, if the Upper Snake water was simply passed through Brownlee prior to August 31, it would be possible to get more water from Brownlee to increase flows at Lower Granite, and to meet the BiOp flow objectives.

This is a question that should be played out in sufficient detail during the TMT's review of the 1997 season, said Brown -- I'm not sure there is much to be gained by prolonging this discussion of the specific constraints on Brownlee and the Upper Snake, and their effects on flows in 1997. We can play that out at TMT, replied Boyce, but the TMT can't resolve the policy issue of the TMT requesting additional water over and above the 427 KAF specified in the BiOp, as well as the TMT's role in water management above Brownlee -- we need to resolve those questions at IT.

The constraints on our ability to fully meet salmon flow needs during the migration season are significant, said Brown. It isn't going to be easy to change that reality. Did we not meet the flow requirements in 1997? asked McKown. There was available water that could have been used to increase flows in the last two weeks in August, when the BiOp flow objectives were not being met, Brown replied. That water was not provided, and the reasons for not providing that water need to be explained -- that's part of the Federal agencies' commitment. However, I don't necessarily agree that it is the responsibility of the Bureau of Reclamation to explain why that water was not provided, said McKown -- USBR has no way to force the Idaho Power Company to do anything -- if anyone has that ability, it's NMFS. The fact is, Reclamation provided 5.4 Kcfs at Milner during the last two weeks in August.

After some minutes of further discussion, Boyce requested a response from Brown to the policy questions raised earlier in this conversation; first, whether the TMT can call for additional water, over and above the 427 KAF, to meet flow objectives. I don't believe the TMT is or should be constrained in requesting operations, Brown replied.

Idaho's Mike Fields replied that, in his view, the TMT has no authority to request operations at projects above Hells Canyon -- when you do that, you only cause problems in the region, he said. We were able to solve the 427 problem because we worked together as a state, Field said. However, when you start calling for the waters above that, or try to operate our system... you're not irrigators. You don't know how it was put together. You just cause problems -- it would be like Idaho trying to tell Oregon how to run the Willamette.

If Idaho had interests that were affected by operation of the Willamette, it would be fair for you to ask for an explanation of why the Willamette is operated the way it is, and for you to express your opinion about how it should be operated to best accommodate your interests -- I think that's all that is being asked for here, Brown replied. We don't feel like you do have an interest in what happens above Brownlee, Field replied.

So is there an answer to my question? asked Boyce. I gave you one, and Mike gave you another, Brown replied. So how do we resolve those conflicting answers? asked Boyce -- that's a fairly major impediment to the TMT's ability to manage water to meet flow objectives. I have no problem with the 427 KAF, said Field. However, it's up to the State of Idaho to decide how that water is delivered. The TMT also has the authority to shape water to meet the needs of fish, said Boyce. What you need to do, if you want to be successful, is lay out what you want to accomplish, and let the Idaho water users and USBR do their best to achieve those goals, said

Field. We did that, in SORs 97-19 and 97-31, replied Boyce. Those SORs tried to micro-manage operations above Dworshak, said Field – that’s what the State of Idaho objects to. Anytime you tell us you want a particular release from American Falls on this date, and a particular release from Palisades on this date, that’s when you start getting into Idaho turf. I’m just trying to be up front with you, Field said – that’s simply not going to happen.

After some minutes of further discussion, it was agreed that an IT work group, led by USBR and including (but not limited to) Oregon, Idaho, the Fish Passage Center, BPA and IPC, as well as the U.S. Fish and Wildlife Service for input on snail issues, will frame this issue for further discussion during the TMT’s post-season review; after it has been digested by that forum, it will probably need to come back to IT, said Brown.

B) Plan for Analyzing and Testing Hypotheses (PATH). PATH coordinator Dave Marmorek updated the IT on recent PATH happenings, beginning with schedule. We’ve been making good progress, but slower progress than we initially anticipated, Marmorek said. We plan to have a workshop in the third week of October, at which we hope to synthesize many of our modeling results and generate a preliminary decision analysis report. The report should be completed and reviewed some time in November, and we hope to have some preliminary results to share with the IT at that time.

Moving on, Marmorek said he had attended a recent Corps-hosted meeting on the Lower Snake Feasibility Study; at that meeting, he was asked why PATH is not doing a more detailed analysis of sockeye, in addition to its analyses of spring/summer chinook, fall chinook and steelhead. The basic reason we aren’t doing the same kind of analysis for sockeye, Marmorek said, is that, after discussions with the IT, it was decided to focus more on chinook and steelhead. We will be providing some text explanation of how we anticipate sockeye may be different from our predictions for spring/summer chinook; however, given the small numbers of Snake River sockeye in the system, such an exercise gets down to how to model a captive broodstock program – that’s a very different set of issues, Marmorek said. We would like some clarification from IT as to whether we should continue with our current direction – a bare-bones look at sockeye – or if we should try to do something more detailed, recognizing both that there are problems with the historical information and that any expansion of the current sockeye track will mean delays in other analytical areas -- we’re already quite stretched with the tasks that are already on our plate, Marmorek said.

After some minutes of discussion, the IT recommended that, given the limited amount of historical sockeye information on which to base a more detailed analysis, PATH continue with its current course of action.

The third item I had today, Marmorek said, was a request for IT clarification about both whether or not and when PATH is supposed to analyze an in-river, non-Drawdown scenario, which would include things like flow augmentation, surface bypass collectors and no transportation. Is this an alternative the IT wants us to model, and if so, when? We wouldn’t need to do another hydroreg run in order to run this analysis, he added – the question is mainly what level of priority this ite should have in relation to the other scenarios.

I always expected that we would have another alternative defined, A6, said BPA’s Phil Thor – no Drawdown, increased flow and spill, add surface collectors and possibly gas abatement

structures etc. That's a different operational alternative. To the extent that you take an existing operational alternative – say, A2 – and decide that you're going to put in a structural alternative that includes surface bypass and changes the proportion of water going over the spillway and through the powerhouse, that becomes a new operational alternative, and the economics are different.

I guess what needs to happen is, the Decision Process Coordinating Group (formerly IT/PATH) needs to specify this alternative – whether we call it A6 or something different – in more detail, Marmorek said. That is the group that is working on the original list of alternatives, said Doug Arndt of COE -- perhaps it would be appropriate to ask them to discuss the need to further define this alternative. And once they do that, perhaps the DPCG could give some direction to the group that is doing the model specifications for hydroregulations, Brown suggested. That's a good suggestion, said Ed Sheets, the DPCG coordinator -- it sounds like there may be some other items that need to be on that list, and we need to ensure that they are clearly defined for modeling purposes.

The fourth and last item I wanted to discuss today was the fact that the Corps has requested some fairly detailed sensitivity analyses of surface bypass collectors, Marmorek said. There are a total of eight different combinations over the four Lower Snake River dams that they were interested in having us explore. The response we gave the Corps was that, at the moment, we're at a more strategic level of evaluating the various options, and are in the process of doing a coarse sensitivity analysis for surface bypass collectors, he explained. We think it makes sense to do something simpler, at this stage, and to do a more detailed evaluation of surface bypass collectors in the beginning of 1998. Is our proposed way of handling the Corps' request agreeable to the IT? After some minutes of discussion, no IT objections were raised to PATH's proposed course of action.

C) Decision Process Coordinating Group. Sheets distributed a handout (Enclosure D) describing the background for that group's efforts to develop a decision process for Columbia Basin fish and wildlife restoration decisions, and their recent accomplishments toward that end. In general, the group has been focusing its efforts on some of the questions raised by IT and others after review of the DPCG's draft "Discussion Paper on a Process for Columbia River Basin Fish and Wildlife Restoration Decisions." Those questions include a number of important issues that will have to be addressed before the major system configuration decisions can be made by the region:

- what is the appropriate goal and scope for that decision?
- what are the appropriate criteria on which that decision should be based?
- what specific information is crucial to decisionmakers?
- what should the schedule be for the decision effort?

My understanding is that, at its last meeting, the IT assigned the Decision Process Coordinating Group to develop recommendations to the IT on the issues raised in the paper, Sheets said. We were also asked to come up with a new name other than IT/PATH; hence the change to DPCG. I think it explains pretty clearly what we're trying to do, he said, but it doesn't make a very good acronym.

At our last meeting, we had a productive discussion on the goals and scope portion of the assignment, Sheets continued; the consensus around the table was that the goal articulated in the Multi-Year Implementation Plan is appropriate for this effort as well:

“Restore sustainable, naturally-producing fish and wildlife populations to support tribal and non-tribal harvest and cultural and economic practices. This goal will be achieved by restoring the biological integrity and genetic diversity of the Columbia River ecosystem and through other measures that are compatible with naturally producing fish and wildlife populations.”

We have also been discussing the criteria for the decisionmaking effort, Sheets said; we concluded that it would be useful to run through a mock exercise, with the help of a decision process consultant, in which we would take several approaches to criteria organization, to look in more detail at how various decisionmaking approaches would work and to understand the implications of the various decision approaches, testing their strengths and weaknesses (see Enclosure D for further details of this effort). Sheets stressed that only dummy numbers will be used in this exercise – the purpose is not to come up with an answer, it’s simply to test the various decisionmaking techniques themselves.

In terms of the schedule for the decision process development effort, said Sheets, we will be making a presentation at the October 15 Executive Committee meeting in Portland. If the IT feels that it would be appropriate for us to do so, we can talk about the goal and scope portions of the decision process; we could also defer that discussion until we have more information.

The third major focus of the DPCG’s recent discussions is the importance of policy-level involvement in the development of the decision process, Sheets continued. Our feeling is that we can come up with the most sensible, workable decision process it is possible to create, but if we don’t involve the policymakers who will actually be making the ultimate decisions, early on, in the development of that decision process, we’re going to have problems down the road. We need to be sure that the process we’re developing actually meets the needs of the folks who will be making the decisions, Sheets said. For that reason, I think it would be useful for the Executive Committee to discuss how they will review whatever recommendations we come up with, to be sure that they’re comfortable with the direction we’re taking. I guess one of the things I’m asking is, when do we need to be done with whatever it is we’re supposed to be doing?

Based on our discussion earlier in the meeting, Sheets continued, it sounds as though we need to go back through the list of alternative scenarios, to see if any new scenarios need to be defined. That process is related to the effort currently underway under the Three Sovereigns umbrella, in which we’re trying to develop a more detailed description of the alternatives so that we can develop cost estimates for the out-years, added Fred Olney of USFWS. The Corps is also working to flesh out a dam-by-dam description of potential facility modifications and schedule.

So the question is, what does the DPCG need to accomplish prior to October 15? said Brown. And beyond that, said Sheets, what is a firm final date by which all of our work needs to be complete? After some minutes of discussion, it was agreed that the Decision Process Coordinating Group will target the December IT meeting for completion of its work products; after IT review, this package will be presented to the EC at that group’s January meeting. The

DPCG will attempt to clearly frame any outstanding issues in time for discussion at the November IT meeting. At the October 15 meeting, it was agreed that the Executive Committee will hear a brief status report and general discussion on the decision process development effort.

D) Integrated Scientific Advisory Board (ISAB). The ISAB did not present an update at today's meeting.

E) Dissolved Gas Team (DGT). The recent activities of the DGT are addressed under Agenda Item V.

F. System Configuration Team (SCT). A subgroup of the SCT has been formed to address water temperature issues in the basin, said Jim Ruff of the Northwest Power Planning Council staff. This group has agreed to put together a water temperature workshop; EPA is taking the lead role in this effort, and Mary Lou Soscia of EPA has put together a draft agenda for the workshop (attached as Enclosure F). Soscia spent a few minutes going through the agenda for the workshop, scheduled for November 6 and 7 at Portland State University (see Enc. F for details).

We are also still working within SCT to develop priorities for the FY'98 budget, Ruff said. We still have not heard from Congress what the exact budget amount will be, but we do not expect to receive the full \$120 million requested – the best guesstimate we've heard to date is \$100 million or thereabouts.

III. Report from Subgroup on IT/EC Facilitator.

John Palensky of NMFS explained that a subgroup has been assigned to develop a draft scope of work for an IT/EC facilitator position; the result of their efforts is a draft scope of work statement, attached as Enclosure G. Following a recent conference call, Palensky said, I think it's fair to say that the group has reached agreement on this draft scope of work; it is consistent with the draft product developed by the TMT. He spent a few minutes going through the contents of Enclosure G, explaining that the principal remaining item requiring IT clarification is the role of the facilitator, a precise definition of exactly what the facilitator will and will not do. The other issue is where the funding for this position will come from.

Unless someone has concerns about the "Background" and "Need" statements in this document, I would like to reach closure on the "Scope of Work" section, Palensky said – I would suggest that we concentrate today's discussion on the latter section. In response to a question, Brown said it is his belief that the IT should continue to move this process along, although various EC members have expressed a desire to be involved in the ultimate facilitator interview and selection process. Tom Cooney of WDFW suggested that the Executive Committee might also want to review this scope of work document at its October 15 meeting; Palensky agreed. I don't have any objection to taking that extra step, Brown said.

Are people satisfied that the scope of work document is adequate for presentation to the Executive Committee? asked Brown. After some minutes of discussion, no IT objections were raised to this course of action.

Jack Wong of the Power Planning Council staff suggested that, since this position will be included in the direct program budget, it would be appropriate, at some point, to involve the

Council. Good point, said Palensky.

Soscia said that Donna Silverberg of the Oregon Dispute Resolution Commission is interested in facilitating the Executive Committee meetings. I would like to encourage you to consider that offer, she said, because Oregon would provide that service free of charge.

Boyce said the Salmon Managers are recommending that a facilitator for the Technical Management Team be included in the IT/EC scope of work. At a previous IT meeting, we agreed to decouple those two issues, said Brown – if what you’re proposing is that we hold off on the IT/EC facilitator until we have a package deal that also includes the TMT, we can discuss that again. Cooney agreed that an argument can be made to include the TMT facilitator as a package with the IT and EC facilitators. I agree that there could be economies involved in putting the two together, said Brown; however, I don’t know that they have to go together.

Do you expect that the IT/EC facilitator will need an intimate knowledge of what has occurred at both the policy and technical levels of the Regional Forum over the last few years in order to be able to facilitate effectively? asked Thor. Yes, Ruff replied. If the answer is yes, then even if we hire different people to sit in the IT, EC and TMT chairs, then creating a bridge for communication and knowledge, and doing a package deal, probably makes more sense, said Thor.

It sounds like the consensus among the group is that consolidating facilitation for IT/EC and the TMT into a package is a good idea, said Brown. No IT objections were voiced to this statement. After some minutes of further discussion, it was agreed to strike the word “individual” from item 10 under the “Scope of Work” list; with that, it was agreed that the document is adequate for presentation to the Executive Committee.

IV. Recommendations for Process Improvements in Technical Teams.

A) TMT. Brown distributed Enclosure H, a package of comments from TMT members, pertinent excerpts from the TMT’s 1997 meeting minutes, and a letter from the Salmon Managers containing a specific recommendation for independent facilitation of TMT meetings. At the August IT meeting, we asked all of the technical committees to identify process improvements; this package is the TMT’s response, said Brown.

Doug Arndt said the Corps continues to question the value that would be added by hiring a TMT facilitator, acknowledging that his agency may be alone in that view at the TMT level. I guess I didn’t get a clear sense, from the materials TMT has provided, that the TMT is recommending that a facilitator be hired, said Brown – the fact that what we have is essentially a package of individual comments suggests that there was objection to that as a broader TMT position. That’s accurate, said Jim Nielsen of WDFW – there is no consensus, and in fact, there is a clear division among the TMT membership.

B) SCT. Bill Hevlin, SCT co-chair, distributed a written summary of the IT discussion of this issue at that group’s August 18 meeting:

“Co-Chairs Hevlin and Ruff introduced the agenda item to discuss the need for an independent SCT facilitator. My main concern with the idea is cost, said Ruff. The question we have to answer is, would we be adding value to the process if we choose to

spend the money on a facilitator? Witt Anderson responded. The cost cap is a reality, said Ruff, and any money we spend on facilitation comes out of something else. I would agree that facilitation for the TMT is probably a greater need than facilitation for the SCT, said Boyce, but I don't think the cost of SCT facilitation would be dauntingly large – we're only talking about one meeting a month, as opposed to at least four meetings a month for the TMT.

After some minutes of discussion, the SCT's response to the IT assignment was summarized as follows: no SCT members objected to hiring an SCT facilitator; however, a number of participants raised concerns about whether or not such facilitation would actually add value to the SCT process. No specific process needs or improvements were identified at today's meeting, although it was pointed out that no tribal representatives were present for this discussion."

We discussed this topic again at our September 15 meeting, Hevlin said, and there were a couple of main points raised at that meeting. First, we agreed that hiring a coordinator could be of value to SCT from the standpoint of issue coordination, both internally to SCT and externally, with the IT. Second, it was felt that such a coordinator could spend more time on issue development – the more work that someone is able to put into the development of an issue, the better it is presented to the IT. The third point raised was the advantage of having a neutral party coordinate meetings, Hevlin said – Jim and I are comfortable with our roles, but I think the process could be improved by having a neutral third party there to facilitate the meetings, and to coordinate and enforce the comment process deadlines on issues without having a stake in the outcome, or the appearance of a conflict of interest.

BPA's Alan Ruger made the point that some confusion exists between the roles of a coordinator and a facilitator – there is a lot of difference between the two, he said, and we haven't really settled on what we're looking for. I think they're interchangeable, said Boyce – what we're talking about here is someone who can both facilitate the meetings and coordinate the subsequent work products and interactions between the SCT and other groups. He added that Oregon supports the need for an SCT facilitator.

Olney agreed that hiring a facilitator for the SCT – someone who can really focus on facilitation, process coordination and issue management, whether it's for SCT, TMT, IT or any of the groups – would add a great deal of value to the process. You can't rely solely on the Bill Hevlins and the Jim Ruffs to do all of this work, on top of everything else they're responsible for, Olney said. We're talking about big-time decisions here, that are going to cost millions and millions of dollars to implement. In my view, we ought to be able to invest a few hundred thousand dollars, if that's what it takes, to do the job thoroughly and do it right, he said.

C) DGT. DGT co-chair Gustavo Bisbal said the DGT membership had discussed this issue, and had concluded that a DGT facilitator is not necessary at this time.

It sounds to me like the priorities for technical team facilitation lay out as follows, said Ruff:

- 1) TMT
- 2) SCT
- 3) DGT

After some minutes of further discussion, it was agreed to leave the door open to hire a DGT facilitator, if it is felt that one is needed in the future.

Where do we take this from here? asked Brown. We have a fairly detailed scope of work and cost estimate for the EC/IT facilitator; we also have a scope of work for TMT. It has been suggested that hiring a facilitator for the TMT may be an even higher priority than facilitation for EC/IT – I'm not sure I agree, because NMFS in particular has a strong interest in hiring a facilitator for the EC. Actually, my thought was that we may want to take up Donna Silverberg's offer to have Oregon facilitate the EC meetings, said Cooney.

Would it make sense to ask John Palensky to develop separate cost estimates for TMT, SCT and DGT facilitation? asked Brown. After some minutes of discussion, the IT raised no objections to this course of action, although it was agreed that a cost estimate for DGT facilitation may not be needed at this time. Various IT participants, including Oregon, Washington and the Corps, agreed to work with Palensky in developing these estimates.

It's no secret that the Corps has had some concerns about facilitation at the TMT level, said Arndt. Frankly, today's discussion has made me more comfortable with the idea of facilitation; the concept of putting together a facilitation package for the entire forum process sounds much more workable than hiring a facilitator for the TMT alone, he said. I'm prepared to use what influence I have to go back to General Griffin and express my comfort with the package concept, Arndt said.

Leaving room for the Corps to take whatever line it wants to take at the Executive Committee level, are there any objections to the IT recommending a "menu" approach to the Executive Committee? asked Brown. After some minutes of further discussion, no IT objections were raised to this course of action.

Further discussion yielded agreement that a more detailed scope of work is needed for the TMT facilitator, and that the TMT needs to reach consensus on that scope of work prior to the October 15 EC meeting. Arndt suggested that a consistent scope of work is needed for all of the groups that will be facilitated; to that end, I would recommend that both the TMT and the SCT use the IT/EC scope of work as their template, he said. I'm concerned that it is unrealistic for us to ask the TMT to produce an entirely new scope of work between now and October 15, said Brown. Can we do as Doug suggests, and ask the TMT to use the IT/EC scope of work as their starting point, and tailor it to meet their particular needs? Various IT members, including Jim Nielsen and Boyce, expressed agreement with Brown's suggestion. And can we also agree that other groups, such as SCT and DGT (if necessary), will use the IT/EC scope of work as their template? asked Arndt. Yes, Brown replied.

After some minutes of further discussion, it was agreed that, rather than a cost estimate per se, Palensky will work with the SCT, DGT and TMT to develop an estimate of the number of hours each facilitator position will require in a year. Brown pointed out that the background and need statements in (Enclosure G) will need to be modified to include the technical committees as well as IT/EC.

The discussion moved on to funding; Palensky said there are two ways this facilitation package might be funded: first, through the regular CBFWA process, which would then be forwarded to

the Power Planning Council as part of the FY'98 budget, or second, through reserve BiOp implementation funds. Our initial thought was that the latter option might be the most expeditious way to obtain funding for FY'98, Palensky said. In order to do that, we will need to make the case that this is a reasonable and prudent alternative within the scope of the Biological Opinion. In the latter case, we would probably be prudent to make a presentation on this subject at the next Council working session on October 6-7. That imposes a pretty tight time-frame on this effort, he said.

The Council has already gone through the FY'98 funding package, said Jack Wong – the Council has approved a policy memorandum, which is being forwarded to Bonneville for final funding decisions. What I'm saying is, you're already late if you want to put this through the CBFWA process, and the Council will probably want you to ask CBFWA if they approve of this measure. Essentially, you're trying to insert this into a budget that has already been approved, Wong said. Admittedly, that budget is fairly fluid at this point, but many projects were deferred, pending certain actions, and as you're all aware, fish and wildlife funding is tight. I suggest that you make this proposal to CBFWA and the Council as early as possible, in as much detail as possible.

After some minutes of further discussion, the work assignments associated with this issue were summarized as follows: Palensky to take the lead in developing consistent cost/level of effort estimates for the TMT, SCT and DGT; the TMT, SCT and DGT to individually assess their facilitation requirements and the number of hours required; the overall facilitator package to include various options, including the potential for using the Oregon Dispute Resolution Service to facilitate some meetings, as well as a two-tiered approach, with different facilitators for the policy and technical levels of the Regional Forum. The TMT, SCT and DGT are to use the IT/EC scope of work as their model, in order to maintain consistency in their own efforts. The background and need statements in the IT/EC scope of work will be broadened to include particular needs of the TMT, SCT and DGT. It was agreed to complete the budget estimates in time for presentation to the Council on October 6-7, the CBFWA members on October 9-10 and the Executive Committee on October 15.

What, exactly, will we be presenting to the EC on the 15th? asked Arndt. We will provide them with options of scale and approach, Brown replied. And will we be asking them to endorse a particular option or approach? asked Arndt. I have no problem expressing a preference for a given option, although I think that will take another meeting of this group before the EC meeting, Brown replied.

V. Items From SCT/DGT Meeting Requiring IT Discussion.

Ruff distributed Enclosure I, a memo from the System Configuration and Dissolved Gas Teams describing the issues raised at the joint SCT/DGT meeting on September 15. The memo addresses three issues:

- 1) Immediate FY'98 funding issue: should the Corps implement a contract in early October to design and construct a deep tank to determine salmonids' dynamic exposure to various TDG levels?
- 2) The need for ISAB review of biological research in the Gas Abatement Program.

3) The review and coordination of Gas Abatement Program biological modeling analysis with PATH modeling.

Ruff went through this document at some length; please see Enclosure I for detailed issue statements and pro and con arguments.

These issues came up because we are not expecting Congress to approve the full appropriation requested in FY'98, Ruff explained – it's likely that the actual amount will be \$20 million to \$30 million less. In an effort to find some cost reductions, the SCT took a close look at the Gas Abatement Program – that was the reason for the September 15 joint meeting between the SCT and the DGT.

The discussion focused initially on the first issue. The message I've gotten from the Corps, said Hevlin, is that, if the decision is made not to fund the deep tank project, it will be necessary to rescope the entire program. On the other side of this issue is the view, expressed by various participants at the meeting, that it is not reasonable to expect that refined estimates of fish survival related to total dissolved gas, applicable to field conditions, will be provided by a deep tank study, said Ruff. This is one of the questions the ISAB would be asked to review under Issue 2, added Arndt. Time is a factor here, because if the contracts for this work are not in place before October 16, we will lose the opportunity to do this work in FY'98, Ruff said.

Bisbal went to the board and sketched a diagram illustrating the two main approaches to system configuration decisions in the dissolved gas abatement program, with a "green line" representing the reduction in physical TDG associated with various gas abatement options, and a "red line" representing the increase in fish survival associated with each option. The fundamental question, he said, is, should we be making these decisions based on the potential gas reductions associated with each option, or on the potential increase in fish survival associated with each option? If we're managing for the "red line," then we need a research plan that will define the relationship between the various options and fish survival. If all we're doing is trying to maximize the reduction in physical TDG, then we don't need the "red line," and we don't need a biological research program, with the exception of a biological assessment of the mechanical injury associated with each option, he said.

The problem, from the Salmon Managers' perspective, is that it is not possible to develop a "red line" that accurately reflects what the fish are experiencing in the river, said Cooney – at least, not to a degree in which fish experts can be confident. We don't want to invest a lot of money in those kinds of biological studies, he said, because we don't think you can trust the results. Boyce and Olney said their agencies share Washington's concern.

What if an expert group such as the ISAB were to agree that the kinds of biological studies we're talking about here will give us the information necessary to make these decisions based on fish survival? asked Arndt. Would you go along with it then? Possibly, if we had confidence in the group, Cooney replied. We would also have to separate out the question of the ultimate goal – according to federal law, we're supposed to be implementing measures that will get us to 110% TDG. In response to a question from Arndt, Boyce said that, if a group such as ISAB agreed that the Corps' proposed biological studies were scientifically sound, Oregon would be willing to discuss them further. However, there is a further concern, Boyce continued – we don't have a great deal of comfort with the numerical model in which this biological

information will be used.

The Corps is quite willing to subject the DGAS program to a good, thorough peer review, said Arndt. However, the fact remains that we do not know what the engineering solutions are to the dissolved gas situation in the Columbia Basin – if we did, we wouldn't be talking about dissolved gas alternatives today. I agree that there are questions about how finely we can detail out the biological effects of dissolved gas, but again, I believe scientific peer review of the proposed program, if it can be done in a timely manner, might answer some of those questions.

I can suggest one possible alternative approach, said Cooney – rather than an extremely detailed biological modeling effort, why not focus our effort on an investigation of how the various options reduce the cumulative exposure of fish to dissolved gas? We should at least consider that as a parallel effort, which will give us something to fall back on if the concerns about the adequacy of the biological modeling program turn out to be well-founded.

I would further suggest that we would be well-served if we could agree on a set of alternatives that get us down to 120%-125% TDG under all flow conditions, without having to go through a lot of detailed studies, we would be a lot better off than we are today, said Olney. It seems to me that we could make some of those decisions fairly soon, without spending billions of dollars on implementation – I think everyone agrees that we don't want to see gas levels in the 135%-140% range, as we did in 1997.

Most of the economically-feasible options that have been presented to this group at meetings past would get us to the 120%-125% range, said Arndt. However, there is a biological issue that needs to be resolved – some measures would reduce gas production, thereby allowing the fish to avoid exposure to TDG, while other measures would actually degas the river and reduce the exposure of fish downstream of a given project. Those two approaches could have different effects on fish survival, and that's the biological issue that needs to be addressed. What I'm saying is, it's more complex than simply reducing gas, said Arndt.

So to summarize this issue in the context of Gustavo's presentation, said Brown, the first question we need to answer is, can we make the necessary gas abatement decisions based solely on estimates of physical TDG reduction (the "green line"); the second question is, can we make those decisions based on existing biological information, and if not, can we make them based on the additional studies the Corps has proposed? That's correct, said Ruff. It is the Corps' position that it makes sense to refer these questions to the ISAB, recognizing that we need to decide whether to issue the deep tank contracts before the ISAB's work is complete? asked Brown. Yes, Arndt replied – we would be "betting on the come," in essence. If we don't issue these contracts, we will lose one to two years in the research program. The risks associated with not going forward with these studies are summarized on pp. 2-3 of Enclosure I.

It seems to me that the Corps could proceed with the development of engineering alternatives, and assess their effects on the physical system, even without a decision about whether or not the ultimate configurational decisions should be biologically or physically-based, said Brown. That's true, if you presume that the alternatives are not going to be developed based on the biological information you gain, Arndt replied. You're saying that, if we learn that a certain type of exposure is especially detrimental to fish, that you would design alternatives differently than you would if average exposure time turned out to be the key? asked Cooney.

Exactly, Arndt replied.

The Corps has told us that they are not going to be able to get the system down to 110% TDG under all flow conditions, based on known technology and the alternatives they're looking at, said Ruff. Basically, if we can only reduce TDG to 120% at a given project, the Corps wants to be able to quantify the percent survival increase that would result. Actually, what we're saying is that there are different ways we could go about achieving the reduction to 120%, and those different measures could have different biological effects, said Arndt. If that is the case, the alternative you choose might be different, based on the outcome of the biological studies.

What you're saying is that if we install gas abatement measures on the Upper Snake projects, and succeed in abating gas in the Snake River, we might not have to do as much in the Lower Columbia, because exposure history would be less? asked Ruff. That might be one outcome, Arndt agreed. The Corps feels very strongly that we need the best possible understanding of what we do to fish when we expose them to gas – our motives, contrary to what some in the region may believe, are very pure. We're not trying to do away with the EPA dissolved gas standard – we're trying to meet the spirit and intent of the BiOp, which is to improve the survival of fish as they pass through the system. If there is a strong scientific basis for saying that it is unrealistic to expect that further study will provide definitive answers to the main biological questions, Arndt said, then I think the Corps would respect that. But we think a thorough peer review – by the ISAB or some other entity – is needed before the region can make that judgement. The question is, are you prepared to wait for that review to take place, even if it means that the planned biological research program will grind to a halt? What if the ISAB agrees that this biological information is needed? asked Arndt. By spending the \$800,000 needed for the deep tank studies in FY'98, we will at least keep all of our options open.

Oregon's position on the biological studies issue is clear, said Boyce – it isn't just the deep tank study; we feel that all of the biological studies under DGAS are under scrutiny, and that they should be shelved pending ISAB review. Did I understand that that is the Council's position as well? asked Brown. Insofar as the Bonneville projects are concerned, yes, Wong replied – we are recommending to BPA that those projects be shelved until the Dissolved Gas Team comes in with a research plan. The Council feels that all available funds should be used on actual gas reduction measures, rather than on further studies.

So there will be a comprehensive review of dissolved gas research? asked Brown. The Council has asked the DGT to review not only the Bonneville projects, but the Corps projects, Wong replied. Exactly what that will entail, I'm not sure at this point.

Cooney suggested that, while the three issues identified at the joint SCT/DGT meeting might be a good starting point, more effort needs to be applied to framing the questions ISAB will be asked to answer. First of all, he said, there needs to be a description of how the Corps is proposing that biological information will apply to the decision. That description should include a section on the fish managers' concerns about the Corps' ability to adequately model biological effects, given the complexity of the system. The questions should focus on whether or not additional information will inform the decision, not about what the perfect research plan is, Cooney said. The question of whether or not we can make the necessary decisions without additional research should be the last one we ask, after the ISAB assesses what the value-added of additional research would be, as well as what we can do with the information that is already

available.

Is there IT agreement that the referral of some set of questions to the ISAB is appropriate? asked Brown. With the caveat that the ISAB will not be able to resolve these questions in time to inform the deep tank decision, said Bisbal. The Corps is comfortable with that, said Arndt. It sounds, then, like we have agreement on the second SCT/DGT issue, Brown said.

I should add that I am all in favor of using biological information to drive the gas abatement decision process, if we can develop a “red line” that we can have enough confidence in, said Cooney. I am very interested in what the ISAB has to say about that – it would be very helpful to have the “red line” in our decisionmaking toolbox. One of the questions we need to ask the ISAB is whether or not it is feasible to develop that biological data, given all of the uncertainties. I don’t want to give you the impression that some of us don’t want to see that “red line” developed – it’s just that some of us think it may not be possible to develop an effective biological basis for this decisionmaking process.

If we take the approach Tom has articulated, and order the questions in the way he has suggested for ISAB consideration, would that go counter to what the Council is trying to do? asked Brown. No – I think Tom’s approach makes a tremendous amount of sense, replied Wong.

The discussion continued in this vein for some minutes. Ultimately Boyce summarized by saying that the question posed to the ISAB is whether or not the “red line” constructed from the proposed research can, with sensitivity, create scientifically valid differences that can be used in management decisions among the gas abatement alternatives. That’s what I’m hearing, said Brown.

So if the ISAB says it is not possible to develop a biologically-based approach to the decision process, said Bisbal, will the region be able to make the necessary gas abatement decisions based solely on the physical effects of the various alternatives on TDG? What other choice do we have, if the ISAB says the “red line” cannot be developed with confidence? asked Thor.

Ultimately, Palensky summarized the outcome of this discussion as follows:

A) Ask ISAB if it is possible to develop a biological survival curve -- the “red line,” that will add significant value to what currently exists, and aid decisionmaking among DGAS alternatives.

B) DGT will develop a dissolved gas research plan, including abatement.

Returning to the first item on the SCT/DGT list, after some minutes of further discussion, the IT recommended that the Corps’ FY’98 deep tank study be deferred. As a result of this decision, it was agreed that the Corps will need to rescope their Dissolved Gas Abatement Plan.

There is still another item on the table, said Arndt – the contract for the remotely operated vehicle (ROV) and fish distribution studies, which also need to be let in mid-October. Our position is that the fish distribution studies may have some value, over and above their purpose in informing the Corps’ DGAS biological studies, said Cooney – we are not willing to support

the

deep tank study, but we're open to the distribution studies. Perhaps for the purpose of the surface collector study, but not for DGAS, said Boyce.

Can the Corps separate the deep tank and ROV contracts? asked Brown. They're already separate, Arndt replied. But if the deep tank study is not funded, said Hevlin, the Corps wants a chance to re-scope the DGAS program, and these fish distribution studies are a part of DGAS. However, if it is the IT's recommendation that we continue to move ahead with the ROV/fish distribution work because there are other aspects of that work that can be applied to the decision process, then we need to know that – it will be taken into account in our rescoping, said Arndt.

Before it will be possible to rescope the program, Arndt continued, we have to make a decision about the ROV contract. What is the IT's recommendation on that contract? By letting that contract, we'll have the use of the ROV for fish distribution studies next spring? asked Hevlin. That's correct, was the reply. And if we don't go ahead with it in October, we'll have to wait a year? he asked. Correct again, was the reply. To be clear, this is an underwater vehicle that uses hydroacoustics to determine the depth of fish in the immediate vicinity of the project, where we can't send human divers in because of safety concerns, said Ruff.

After some minutes of discussion, Boyce suggested that the Salmon Managers discuss this issue with the Corps, with the goal of making a recommendation prior to the mid-October contract deadline. Ruff added that this item could also be discussed at the next SCT meeting, scheduled for October 6. Will that satisfy the Corps' needs? Asked Brown. Yes, Arndt replied.

Given the IT's resolution of the first two issues on our list, said Hevlin, I would suggest deferring discussion of our third issue (review and coordination of Gas Abatement Program biological modeling analysis with PATH modeling) until the next IT meeting. After some minutes of further discussion, it was so agreed.

VI. Process for Decisionmaking on 1998 Juvenile Fish Transport Operations.

Brown requested input from the other IT representatives on how to proceed with 1998 decision making on fish transportation operations. Personally, he said, I do not want to repeat the 1997 process -- I think we can do better. Based on our experience last year, it is apparent that NMFS's judgements about the scientific basis underlying our decision is not shared by many parties in the region. I would prefer to install a process that will consider the disagreement on the fundamental science, that will leave sufficient time at the end of that step to allow for dispute resolution, and that will allow us to take into account the new steelhead listing, which we will need to resolve this winter in preparation for 1998 operations. I would like to hear the views of other IT members on ways we can improve the decision process on transportation issues in 1998 so that we don't repeat what we did in 1997, Brown said.

In response to a question, Brown said the steelhead listing takes effect October 17. By that date, NMFS needs to be in formal consultation with the three action agencies, he added. The main issue I perceive that is in need of resolution is steelhead transportation – we have spent a lot of time, over the last couple of years, arguing over the right percentage of fish to transport, Brown said. The second issue is early April flows in the Mid-Columbia; Romeo Wisco has produced some simulation study estimates related to that issue (Enclosure J). Both issues need to

be resolved this winter, Brown said.

There are really two aspects to this data, said Cooney – first, there are some goals, although there doesn't seem to be good coverage of the effects of transportation under high-flow conditions. Second, there is the key question of whether there is an increase in delayed mortality associated with transportation under low flows or extreme environmental conditions. On the second point, would you agree that this is a question that is more relevant to the long-term role of transportation in recovery than it is to 1998 operations? Asked Brown. Answering for myself, yes, Cooney replied. I especially think that's more relevant to the Snake than to the Mid-Columbia. However, it has a role in the short term. I still think there is a need to assess the risks, given the uncertainties, he added.

After some minutes of discussion, Brown asked where it would be appropriate for NMFS to join this question – should we just go into consultation and make a decision, and wait to see what comes into the docket? he asked. Where can we bring this question, to get some resolution? One question, said Boyce – is NMFS planning to do anything different for chinook in 1998?

In our internal discussions, we started with the view that we made a difficult decision on the chinook issue in 1995, Brown replied. Since then, we've gotten some partial returns from the study that was initiated in 1995. On the face of it, the initial view was that those results were probably not sufficient for the agency to reconsider its position, while we're waiting for the rest of the information to come in. On the flip side, that partial information pretty much confirmed everything we thought we understood about the issue when we made the difficult decision in 1995, Brown said. For that reason, I don't have a yes or no answer to your question, he continued – it could go either way. Added to that is the issue of what we're going to do with steelhead transportation – the issue this spring was that we were transporting too many steelhead because of the higher guidance. There is also the issue of McNary transportation, particularly for Mid-Columbia fish. Those fish will be listed by next year, and because of the chinook operation, there is no transportation of those fish. The question is, is resumption of transportation at McNary an action that is intended to benefit steelhead, for which we don't think there would be any adverse consequences to chinook? Maybe, Brown said.

After some minutes of further discussion, Boyce said that, without input from Idaho, it will not be possible to develop a strategy for 1998 transport decisions. My goal today is not to develop a strategy, said Brown – I simply want to get a sense of where the various IT participants are coming from, in an effort to develop a strawman for 1998 transport operations. I think it would be useful to coordinate a workshop with FPAC to discuss considerations in making that decision, said Cooney – we can then use the IT process to shepherd that process along, particularly the question of what to do at McNary, given the listing of Mid-Columbia steelhead. And if there are plans to do anything different in the Snake, I would like to have that discussion at FPAC as well, said Boyce.

The discussion proceeded in this vein for some minutes. Ultimately, Brown suggested that the question of both the short-term conduct of 1998 transport operations, and the long-term question of the ultimate value of the transport program to the recovery effort, be tasked to the ISAB. NMFS has the position that the science supporting near-term decisions is pretty strong, Brown said. We laid out, in the 1995 BiOp, the scientific basis for transportation of chinook. It is apparent that there is considerable disagreement about that, and we don't have a comparable

summary of the science underlying steelhead transportation.

After some minutes of further discussion, Brown summarized the discussion as follows: that there is an IT interest in having informal discussions among the Salmon Managers and others on the topic of transportation before referring the transportation question to the ISAB. Let me be clear, said Brown – once we identify a process to sort out the science issues, I want that process completed early enough to come back to this table to be put together with flow projections – probably some time in February – to allow time for dispute resolution, if needed. Given the ISAB's schedule, I don't know if that's possible or not, he said.

VII. Executive Committee Meeting Agenda – October 15, 1997.

Brown distributed a list of possible agenda items for the October EC meeting (Enclosure K). This list reflects preliminary thinking; these are not necessarily items that have to be on the agenda, he said. The major issues include Agenda Item 2 – a discussion of the approach to transportation and capital construction issues in 1998, as well as Item 5 – the process for selecting and funding an IT/EC facilitator.

I think the issues on this list are all appropriate topics for EC discussion, said Olney. And you see this as another NMFS-sponsored meeting that will potentially include tribal participation? asked Arndt. Will doesn't care what we call it, replied Brown – the intent is to encourage maximum participation from all entities who have an interest in fish and wildlife issues.

Has NMFS's position changed on the time-frame for the 1999 decision? asked McKown. What we talked about in the last meeting, in Spokane, was hosting a process to try to get people involved in the development of decision criteria, Brown replied – we heard a report earlier today from the DPCG on how that effort has proceeded. A briefing on their progress will be provided at the October EC meeting.

Do we need another IT meeting to finalize the EC agenda? Asked Brown. After some minutes of discussion, it was agreed that the IT will convene via conference call on Thursday, October 2 at 9 a.m.

VIII. Next IT Meeting Date and Agenda Items.

The following items from today's agenda were not discussed, due to time constraints:

- 1) Corps Report on Data Availability Issue.
- 2) Update on Mid-Columbia Flow Modeling re the Salmon Managers' Request and the PNCA Data Submittal.
- 3) Status of ISRT Consideration of How to Address COE-Funded Activities Outside the Current Structure.

The group set an IT conference call to finalize the October EC agenda for Thursday, October 2 at 9 a.m. No further IT meeting dates were set at this time. Meeting notes prepared by Jeff Kuechle, BPA contractor.